

CAMDEN COUNTY BOARD OF COMMISSIONERS**Regular Meeting****April 21, 2003****Senior Center Conference Room, Courthouse Complex****MINUTES**

The regular meeting of the Camden County Board of Commissioners was held Monday, April 21, 2003 at 7:00 P.M. in the Senior Center Conference Room, Courthouse Complex. The following members were present:

Chairman Jeff Jennings
Vice Chairman Samuel K. Shaw, Sr.
Commissioners Melvin Jeralds, J.C. Rountree and Clayton Riggs
County Manager/Clerk to the Board Carl Classen
Deputy Clerk to the Board Ava Murgia

Chairman Jennings called the meeting to order. Commissioner Rountree gave the invocation.

PUBLIC COMMENTS

Chairman Jennings asked for any comments from the public.

Bill Stafford, 102 Lake Drive, South Mills stated his concern regarding the South Mills Boundary and requested to comment on Resolution No. 2003-03-03.

Chairman Jennings stated the matter was on the agenda for discussion and Mr. Stafford could speak at that time.

Penny Leary Smith, 289 Hwy North NC343, Camden, stated she was accompanying Ms. Wanda McLean.

Mike Andrews, 110 Culpepper Road, South Mills, requested the speed limit lowered on Culpepper Road.

Joe Higgenbotham, 115 Deer Trail, subdivision of Country Trail, expressed praise for Mr. Classen and county employees who have assisted him. Mr. Higgenbotham stated prior to purchasing the property and building in September 2002, he came to the Courthouse and investigated all the records, new roads, buildings and found no changes for the future. After moving in September 2002, he found out that a borrow pit was going in at the end of his road and a land fill was going in down the road. Mr. Higgenbotham stated he never received notification of rezoning and would like to meet with staff to determine what is to be required for buffer zones, lighting and other concerns.

Al Kedz, 109 Havenwood, Camden, requested a No Wake Zone be established from the railroad bridge west to the other side of the cove on the Pasquotank River.

Wanda McLean, Elizabeth City State University, addressed the Board regarding the applications to the state to designate sites in Camden County as a historic underground railroad. The designated sites are Dismal Swamp/Dismal Swamp Canal Visitors, Camden County Courthouse and possibly the historic Jail. Ms. McLean provided the Board with a copy of the application and other information regarding *The Underground Railroad To Freedom Program* with the National Park Service.

Chairman Jennings so ordered the information be entered into the record.

Penny Leary Smith spoke in support of *The Underground Railroad To Freedom Program* with the National Park Service.

Maggie Blythe, Northeastern Regional Representative, and Bill Mallett, Area Manager, from Mediacom, gave a general presentation and addressed the issues Camden County residents had concerning cable television.

Mike Gentry, 310 Holland Drive, Camden, stated his reception is still bad after several attempts by Mediacom to service his complaints.

CONSIDERATION OF MINUTES

Commissioner Rountree made a motion to approve the draft minutes, as presented, for the March 31, 2003 special meeting, the April 7, 2003 regular meeting and the April 16, 2003 special meeting, subject to correction of typographical and technical errors. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent.

CONSIDERATION OF AGENDA

Mr. Classen asked that the following items be added to the agenda: Add Item IX. E. *Ordinance Relating To Temporary Road Construction, Item IX. F. Petition for Road Addition – Linton Road, Item IX. G. Resolution Relating to North Carolina Clean Water and Revolving Loan.*

Commissioner Jeralds made a motion to approve the agenda as amended. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Public Hearing – Rural Operating Assistance Program (ROAP)

Commissioner Riggs made a motion to open the public hearing on the Rural Operating Assistance Program (ROAP). The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Chairman Jennings called for any comments from the public.

No comments from the public were received.

There being no further comments, Commissioner Rountree made a motion to close the public hearing. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Despite the normal procedure of waiting until the meeting following the public hearing to take a vote, Chairman Jennings asked for a vote on the program as the ROAP application is due at the State before the May 5 Commissioners Regular meeting.

Commissioner Shaw made a motion to approve the Certified Statement FY2003-04 for the Rural Operating Assistance Program. Commissioner Shaw further moved to approve the Certified Statement FY2003-04 for the Discretionary Rural General Public Funding for Regional Transportation Systems. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Public Hearing – Rezoning Application – UDO2003-02-22 – Simonds

Commissioner Shaw made a motion to open public hearing on Rezoning Application UDO2003-02-22 - Simonds. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

A Rezoning Application – UDO2003-02-22 was received from Lem Sinonds, Jr. to rezone his property from General Use to R-2. The Planning Board recommends approval of the rezoning application. The motion passed 4-0.

Chairman Jennings called for any comments from the public.

No comments from the public were received.

Hearing no comments, Commissioner Rountree made a motion to close public hearing regarding rezoning application UDO2003-02-22. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Public Hearing – Sketch Plan Application – UDO2003-02-37 – Williams – Tar Corner Open Space Subdivision

Commissioner Jeralds made a motion to open public hearing on Sketch Plan Application – UDO2003-02-37 for Don and Cindy Williams. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

A Sketch Plan Application – UDO2003-03-37 was received from Don & Cindy Williams for a proposed seventeen (17) lot open space subdivision called Tar Corner located on Old Swamp Road, South Mills Township.

The Planning Board met on March 19, 2003 and recommends approval of the Sketch Plan application. The motion passed 4-0.

Chairman Jennings called for comments from the public.

Matthew Couch, 136 Culpepper Road, expressed concern regarding growth in school population and requested that it be part of public record during application.

There being no further comments from the public, Commissioner Shaw made a motion to close the public hearing on Sketch Plan Application – UDO2003-02-37. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Public Hearing – Rezoning Application – UDO2003-03-08 – Meiggs/Jennings

Chairman Jennings declared a conflict of interest on this item, turned over the meeting to Vice Chairman Shaw, and left the meeting room.

Commissioner Riggs made a motion to open public hearing on Rezoning Application UDO2003-03-08 from Martha F. Meiggs and Susan Ferebee Jennings to rezone property from General Use to Light Industrial (I-1). The Planning Board recommends approval of the rezoning application. The motion passed 4-0.

No comments from the public were received.

There being no other comments, Commissioner Rountree made a motion to close public hearing regarding Rezoning Application – UDO2003-03-08. The motion passed with Commissioners Jeralds, Riggs, Rountree, and Shaw voting aye; no Commissioners voting no; and no Commissioners absent and Chairman Jennings abstaining.

Public Hearing – Land Use Code Changes

Commissioner Riggs made a motion to open public hearing on Land Use Code Changes. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

The following are proposed amendments to the Land Use Code developed cooperatively by the Planning Board and Board of Commissioners, along with staff recommended changes. On April 7, the County Commissioners voted to conduct a public hearing on the proposed Land Use Code amendments

The proposed amendments are summarized as follows:

Article 1 – General Provisions: Changes in lots abutting a street or road.

Article 2 – Density and Dimensional Regulations: Consolidated sections 201 and 202 (both stated similar information as far as lot size and density). Included I-1 and I-2 in setbacks, Changed Section 210 to Appearance Standards to include Class A and Class B manufactured housing and lowest floor elevations.

Article 4 – Parking: Minor administrative changes.

Article 8 – Supplementary Use Regulations: Reimbursement of reasonable expenses **vice** all on application review.

Article 9 – Subdivisions: Amendments concerning certification blocks and elevation of residential and nonresidential buildings.

Article 12 – Permissible Uses and Table: Deletion Dish Antennas as an accessory use and changes in type of permit for manufactured housing.

Article 13 – Conditional and Special Uses: Deletion of the use of a Class B manufactured house as a temporary use for medical reasons.

Article 15 – Floodplains, Drainage, Storm Water Management: Deletion of floodway and floodplain statement (in article 9) and changes in requirements on elevation certificates.

Article 17 – Building inspections and permits: All taxes must be paid prior to issuance of building permits..

Article 20 – Appeals, Variances, Interpretations: All taxes must be paid prior to applying for Variance.

Article 24 – Definitions: Adding Community Service Facility definition.

No comments from the public were received.

There being no other comments from the public, Commissioner Jeralds made a motion to close public hearing regarding Land Use Code Changes. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Board of Equalization and Review

Chairman Jennings recessed the Board of Commissioners meeting and convened the Board of Equalization and Review. Mary Rhodes, Tax Administrator, was present to answer questions from the Board. Printouts of the following cases were given to the Board.

1. Rose S. Bell
2. Glenn & Shelia Gordon
3. R. J. Richardson
4. Everett L. Sawyer

Mike Bell spoke on behalf of Rose Bell. Mary Rhodes presented a map to the Board for review. Chairman Jennings ordered the material into the record and directed that a copy be provided to each Board member and the Clerk.

Glenn and Shelia Gordon requested to reschedule due to a conflict.

Chairman Jennings stated a time for viewing these properties would be established and Mary Rhodes, Tax Administrator would notify the applicants.

There being no further comments, Chairman Jennings recessed the Board of Equalization and Review and reconvened the Board of Commissioners meeting.

Resolution 2003-03-03 Courthouse – South Mills Township Boundary

At the February 3 meeting, staff was asked to inquire with property owners along the Courthouse – South Mills township boundary line regarding a need to alter the boundary line. Mary Rhodes, Tax Administrator, led an effort in this regard and convened a meeting of Chairman Jeff Jennings, Horace Sawyer and George Tarkington. During that meeting, the property owners made a recommendation for amending the township boundary. Since that time, the County Manager has been working on learning more about amending township boundaries.

Camden County township boundaries were established in 1868 and there appears to have been no amendments since that time. The law (NCGS153A-19) governing township boundaries are straightforward.

Presently, Camden County township boundaries are the same as the precinct boundaries. In discussing this matter with Helen McPherson, Elections Supervisor, she advised that all precinct boundaries are frozen until 2004. Upon further review, precinct boundaries may be changed when a change involved no voters.

In a statewide listserv question on this issue, only one substantive response was received and that was a suggestion to immediately notify the Census Bureau following any boundary amendment as their work typically follows township boundaries. This is required by NCGS 153A-19(c).

At the February 17, 2003 Commissioners meeting, this matter was laid over until the March 3 meeting so that Commissioners could obtain further input from residents of South Mills Township. At the March 3 meeting, the Commissioners directed staff to advertise a public hearing to be held in conjunction with the March 17 regular Commissioners on the proposed boundary line change. On March 17, the County Commissioners conducted a public hearing on Resolution 2003-03-03 Relating to Amending the Borderline Between Courthouse and South Mills Townships.

On April 7, the County Commissioners laid this over to their April 21 meeting.

A copy of Resolution No. 2003-03-03 was provided to the Board.

Chairman Jennings called for any comments from the public.

Bill Stafford, Assistant Fire Chief and Member of the Board of Directors, 102 Lake Road, South Mills spoke in opposition of the boundary line change.

There being no further comments, Commissioner Rountree made a motion to table Resolution No. 20003-03-03 Courthouse-South Mills Township Boundary. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Ordinance No. 2003-04-02 – Peddlers and Solicitors

On March 17, the County Commissioners directed staff to develop an ordinance regulating peddlers and solicitors. The Commissioners further authorized the County Manager to retain special counsel for developing the ordinance. At the April 7 meeting, the Ordinance was introduced by Commissioner Rountree and is now for second consideration.

The County Manager gave an oral review of the Ordinance and submitted suggested amendments.

Commissioner Rountree made a motion to approve *Ordinance No. 2003-04-02 An Ordinance of the Camden County Board of Commissioners Defining and Regulating Peddlers and Solicitors* with amended changes. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Approved *Ordinance No. 2003-04-02 An Ordinance of the Camden County Board of Commissioners Defining and Regulating Peddlers and Solicitors* reads as follows:

Ordinance No. 2003-04-02

**AN ORDINANCE OF THE
CAMDEN COUNTY BOARD OF COMMISSIONERS
DEFINING AND REGULATING
PEDDLERS AND SOLICITORS**

WHEREAS, pursuant to N.C. Gen. Stat. §153A-121 a county may by ordinance define, prohibit, regulate or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the town; and

WHEREAS, pursuant to N.C. Gen. Stat. §153A-125 a county may by ordinance regulate, restrict or prohibit the business activities of itinerant merchants, salesmen, promoters, peddlers, flea market operators and flea market vendors.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the County of Camden, North Carolina as follows:

PART I. That the Code of Ordinances, Camden County, North Carolina, is hereby amended by adding a new Article to read as follows:

ARTICLE ONE. PEDDLERS AND SOLICITORS

Section 1.

(a) *Intent.* The purpose of this section is to regulate the door-to-door offering for sale and selling of goods, wares, merchandise, food, periodicals and services and the solicitation of orders therefore in residential areas of the county, and to thereby promote the public safety and welfare.

(b) *Permit required.* It is unlawful for any person, firm or corporation to sell, offer for sale, or solicit orders for goods, wares, merchandise, food, periodicals or services by going from door-to-door ("peddle" or "solicit") or to beg or panhandle, within the county without having first secured a peddler/solicitor's permit from the county as provided for in this section, unless it is done with the prior request or invitation of the residents or occupants of the premises visited. Additionally, it is unlawful to peddle, solicit, beg, or panhandle unless the following requirements are met:

(1) Such peddling, soliciting, begging or panhandling shall be permitted only between the hours of 9:00 a.m. and 6:00 p.m. during Eastern Daylight Time and 9:00 a.m. to 5:00 p.m. during Eastern Standard Time.

(2) The peddler/solicitor permit issued for that person shall be carried and displayed at all times while conducting such solicitations in such a manner as to be clearly visible to a reasonable person of adequate vision.

(3) All other permits or licenses required by law shall have been obtained.

(c) *Permit applications.* Applications for peddler/solicitor permits under this section shall be submitted to the tax department during normal business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m. Eastern Time) on a form provided by the tax department, under oath, and shall include, but not be limited to, the following information:

- (1) The full name of the applicant;
- (2) The permanent residence address of the applicant;
- (3) The applicant's temporary address in or in the vicinity of the county, if applicable;
- (4) The name and address of the applicant's employer or the organization with which the applicant is associated in connection with the begging, panhandling, sale activity, or solicitation of orders;
- (5) The type(s) of donations, goods, wares, merchandise, food, periodicals and services to be requested, sold or offered for sale;
- (6) The period for which the application is sought, which shall not exceed sixty (60) consecutive calendar days; provided that the permit may be renewed for sixty-day periods without limit, upon proper application therefore;
- (7) A record of any and all crimes of which the applicant has been convicted or has pleaded no contest in the ten (10) years preceding the submittal of the application;
- (8) The age, height, weight, and any other additional information which the county may reasonably require for identification, including a copy of the document(s) used by the applicant to verify personal identification (e.g. driver's license, passport, picture I.D.);
- (9) A complete listing of and information concerning all other permits or licenses, such as privilege licenses, which were obtained by the applicant.

If an application is filed by an employer, there shall also be filed separate applications for each peddler, solicitor, beggar and panhandler, giving the information set forth above for each peddler, solicitor, beggar and panhandler and signed and sworn to by each peddler/solicitor, and a separate permit shall be issued for each applicant.

(d) *Procedures for considering applications.*

(1) Upon receipt of a complete application, the sheriff or designee (hereafter "sheriff") shall make or cause to be made such investigation as reasonably necessary to verify the information in the application and to assure compliance with the provisions of this section and shall issue a permit unless the applicant:

- a. Has not submitted a completed application;
- b. Is not permitted by law to engage in such activity due to age;
- c. Has been convicted of, or has pleaded no contest to, a felony charge within the ten (10) years preceding the submittal of the application;
- d. Has been, within the previous five (5) years, convicted of, or pleaded no contest to, a misdemeanor charge involving theft, fraud, forging, uttering, or other crimes of like nature or any crime involving moral turpitude;
- e. Does not have valid driving privileges in the state in those case where the applicant will be operating a vehicle in the course and scope of the peddling, soliciting, begging, or panhandling; or
- f. Has not obtained any necessary licenses.

(2) The sheriff shall approve or deny an application and issue a permit as soon as possible and, except in the case of extraordinary circumstances, as when a number of applications are submitted within a short period of time, should act within five (5) business days of receipt of the completed application. Such issued permit shall be nontransferable.

(e) *Permit renewal.* A peddler/solicitor permit may be renewed for an unlimited number of sixty-day periods, provided an application for renewal is made on such form as

provided by the tax department no later than the expiration date on the current valid permit. Applications received after that date shall be processed as new applications. The sheriff shall review each application for renewal to determine that the applicant is in full compliance with the provisions of this section. If the sheriffs' department finds that the application meets the above requirements, the renewal permit shall be issued.

(f) *Appeals.* The appeal of a refusal to issue a permit or the revocation of a permit shall be made to the county manager by filing a written notice of appeal, specifying with particularity the grounds upon which the appeal is made, no later than ten (10) days from the date of the refusal to issue a permit or the revocation of a permit. The county manager or designee ("county manager") shall fix a reasonable time for the hearing of the appeal, shall give due notice to all parties, and shall render a decision within a reasonable time. The order or decision of county manager shall be the final county action for the purpose of judicial review.

(g) *Revocation of permit.* Permits issued under this section may be revoked in accordance with section 2. Additional grounds for revocation of a permit include, where evidence is presented, that the applicant has been arrested for a felony or a misdemeanor involving theft, fraud, forgery, moral turpitude, criminal trespass, or a threat to the public safety during the peddling/solicitation period, or has otherwise violated the provisions of this section. A permit which has been revoked shall be immediately surrendered to the sheriffs' department. Appeals of revocations may be made pursuant to the same process as for denied permits.

(h) *Exemptions.* This section shall not apply to:

- (1) The delivery of goods or services which have been ordered before delivery;
- (2) The circulation of petitions for signature or lawful distribution of advertising materials, flyers, or materials expressing views on political, social or religious matters;
- (3) The lawful promotion or expression of views concerning political, social, religious and other like matters;
- (4) The sale or offering for sale of goods, wares, merchandise, food, periodicals or services by bona fide members or representatives of charitable, religious, civic, or fraternal organizations which are exempt from the payment of privilege licenses, and who receive no compensation of any kind for their services, and such sale or offering by children under the age of eighteen (18) years who are students in a public or private school for school activities;
- (5) The solicitation of contributions or pledges thereof for bona fide nonprofit organizations;
- (6) The sale or delivery of goods to business establishments;
- (7) The sale or soliciting of orders for the sale of milk, dairy products, vegetables, poultry, eggs, and other farm and garden produce so far as the sale of such commodities named herein is now authorized by law.

Section 2. Licenses or permits; refusal to issue, suspension, revocation; notice, hearing.

(a) The county may refuse to issue a license or permit, or the licenses or permits issued pursuant to this Article, unless otherwise provided hereunder, may be suspended or revoked by the county manager or other authorized official, department, board or agency where applicable, after notice and hearing for any of the following causes:

- (1) Any fraud, misrepresentations or false statements contained in the application for permit or license;
- (2) Any fraud, misrepresentation or false statement made in connection with the selling of goods, wares, merchandise and services;
- (3) Any violation of this Article and/or any ordinance of the county;
- (4) Conviction of the applicant, licensee or permittee of any crime or misdemeanor involving moral turpitude or a violation of any act of this state, or any law of the United States having a reasonable relationship to the purpose and scope of the permit or license;

- (5) Conducting the activity under this Article and/or any ordinance of the county in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, morals or general welfare of the public.
- (b) Notice of hearing for the suspension or revocation of a license or permit shall be in writing given by the clerk to the board of commissioners, setting forth specifically the grounds of the complaint and the time and place of the hearing. Service of such notice shall be made either by personal service or by certified mail, return receipt requested, to the applicant, licensee or permittee at the last known address, at least five (5) days prior to the date set for the hearing.
- (c) In case of refusal to issue a permit or license or the suspension or revocation of a license or permit as herein provided, no portion of the application, license or permit fee shall be returned to the applicant, licensee or permittee unless otherwise provided in this Article and/or any ordinance of the county.
- (d) Any suspension or revocation hereunder shall not be considered a recovery or penalty so as to bar any other penalty from being enforced.
- (e) The order of the county manager or other authorized official, department, board or agency where applicable, shall be the final county action for the purpose of judicial review.

PART II. This ordinance shall be effective upon adoption.

ADOPTED the 21st day of April, 2003.

Jeff Jennings
Chair, Board of Commissioners

(S E A L)

ATTEST:

Clerk to the Board

APPROVED AS TO FORM:

County Attorney

Adopted on: April 21, 2003
Motion by Commissioner Rountree
Second by Commissioner Jeralds
Vote Five (5) AYES Zero (0) NOES

Pasquotank – Camden Emergency Medical Service Agreement

A copy of the proposed Pasquotank County – Camden County Emergency Services (Ambulance) Agreement was provided to the Commissioners. Chairman Jennings and the County Manager met with Pasquotank County Commission Chairman John Kitchen and Pasquotank County Manager Randy Keaton on April 9 to discuss a possible percentage cap. Chairman Kitchen was quite angry about the request for a cap and was equally adamant that no cap would be accepted. He stated that the Agreement had already been amended once based on Camden County concerns and would not be amended again. He further stated that the Camden County Commissioners should trust the Pasquotank County Commissioners that the increase wouldn't be too much because the Pasquotank County Commissioners wouldn't agree to such a high increase for the College.

Chairman John Keaton further stated that there was an unwritten agreement between the Pasquotank and Camden Boards of Commissioners to allow Camden County out of the existing Solid Waste Agreement when the new Waste Industries landfill is ready for use. He stated that this would mean a big decrease in cost to Camden County. When asked if that could be amended into the Agreement, he again stated that Camden County needed to trust Pasquotank County that they would honor their word.

Given this reaction, Chairman Jennings agreed not to pursue the percentage cap.

Commissioner Rountree made a motion to approve the Pasquotank – Camden Emergency Medical Service Agreement. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Tax Matters – Mobile Home Value Appeal – Debra Heath

Debra Heath was present in support of her 1987 mobile home value appeal located at 1285 South NC 343, Shiloh Township.

Mary Rhodes, Tax Administrator was present to answer any questions.

Commissioner Riggs recommended staff contacting Tech Data for conference call.

Tax Matters – Vehicle Value Appeal – Debra Heath

Debra Heath was present in support of her 1994 Ford Thunderbird vehicle value appeal.

Mary Rhodes, Tax Administrator was present to answer any questions.

Commissioner Riggs recommended staff contact Tech Data for conference call.

Tax Matters – Vehicle Value Appeal – Donald Jones

Donald Jones was not present. This matter was laid over until Mary Rhodes, Tax Administrator spoke with Mr. Jones to reschedule.

Budget Amendments

Commissioner Rountree made a motion to approve the following budget amendments:

2003-BA-20	Adjust fund balance per FY01-02 Audit
2003-BA-21	Adjust DSC expenses per FY01-02 Audit
2003-BA-22	Pay for portion of CMS renovation from School Bond Account
2003-BA-23	Adjust budget expenditure to current fiscal year; per Audit
2003-BA-24	Pay for SRO salary adjustment approved in Dec, 2002
2003-BA-25	Adjust revenue items to account for school projects and financing

2003-BA-20

BUDGET AMENDMENT

CAMDEN COUNTY ADMINISTRATIVE UNIT

Dismal Swamp Trail Trust Fund

The Camden County Board of Commissioners passed the following resolution at the meeting on 21st day of April, 2003.

Be it resolved that the following are amendments to the budget resolution for the fiscal year ending June 30, 2003.

		AMOUNT	
<u>CODE NUMBER</u>	<u>DESCRIPTION OF CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
66-3990	F. B. Appropriated		10,547.

66-6140-999

Fund Reserves

10,547.

Explanation: Adjusted FB per audit

Total Appropriation in Current Budget.....	\$ 154,190.
Amount of Decrease of above amendment.....	10,547.
Total appropriation in Current Amended Budget	\$ 143,643.

We, the Board of County Commissioners of Camden County, hereby approve the changes in the County Budget as indicated above and have made entry of these changes in the minutes of said board this 21st day of April, 2003.

Passed by majority vote of the Board of County Commissioners of Camden County on the 21st day of April, 2003.

Chairman, Board of Commissioners

Vice-Chm. Bd Commissioners

Clerk to Board of Commissioners

2003-BA-21

BUDGET AMENDMENT

CAMDEN COUNTY ADMINISTRATIVE UNIT

Dismal Swamp Visitor Center Fund

The Camden County Board of Commissioners passed the following resolution at the meeting on 21st day of April, 2003.

Be it resolved that the following are amendments to the budget resolution for the fiscal year ending June 30, 2003.

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
60-3990	Fund Balance Appropriated		515.
60-381	Coast Host Funds	300.	
60-6000-999	Reserve Funding		515.

Explanation: 01-02 Audit adjustment – other funds received.

Total Appropriation in Current Budget.....	\$ 124,734.
Amount of Decrease of above amendment.....	- 215.
Total appropriation in Current Amended Budget	\$ 124,519.

We, the Board of County Commissioners of Camden County, hereby approve the changes in the County Budget as indicated above and have made entry of these changes in the minutes of said board this 21st day of April, 2003.

Passed by majority vote of the Board of County Commissioners of Camden County on the 21st day of April, 2003.

Chairman, Board of Commissioners

Vice-Chm. Bd Commissioners

Clerk to Board of Commissioners

2003-BA-22

BUDGET AMENDMENT

CAMDEN COUNTY ADMINISTRATIVE UNIT

Public School Building Capital Fund

The Camden County Board of Commissioners passed the following resolution at the meeting on 21st day of April, 2003.

Be it resolved that the following are amendments to the budget resolution for the fiscal year ending June 30, 2003.

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
	Balance in fund	562,000.	
	Middle School Project	562,000.	

Explanation: Camden Middle School Modernization (Virtexco Invoices 6 & 7)

Total Appropriation in Current Budget.....	\$	-0-
Amount of Increase of above amendment.....		562,000.
Total appropriation in Current Amended Budget	\$	562,000.

We, the Board of County Commissioners of Camden County, hereby approve the changes in the County Budget as indicated above and have made entry of these changes in the minutes of said board this 21st day of April, 2003.
Passed by majority vote of the Board of County Commissioners of Camden County on the 21st day of April, 2003.

Chairman, Board of Commissioners

Vice-Chm. Bd Commissioners

Clerk to Board of Commissioners

2003-BA-23

BUDGET AMENDMENT

CAMDEN COUNTY ADMINISTRATIVE UNIT

QZAB Construction Fund

The Camden County Board of Commissioners passed the following resolution at the meeting on 21st day of April, 2003.

Be it resolved that the following are amendments to the budget resolution for the fiscal year ending June 30, 2003.

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
44-3990	Fund Balance Appropriated		310,410.
44-8100-74	Renovations & Repairs		190,810.
44-3290	Interest Earned	64,000	
44-3670	Sales Tax Refund	55,600	

Explanation: Adjust to 01-02 Audit – Expenditure was in 0-02 Fiscal year.

Total Appropriation in Current Budget.....	\$	7,680,383.
Amount of Decrease of above amendment.....		190,810.
Total appropriation in Current Amended Budget	\$	7,489,573.

We, the Board of County Commissioners of Camden County, hereby approve the changes in the County Budget as indicated above and have made entry of these changes in the minutes of said board this 21st day of April, 2003.
Passed by majority vote of the Board of County Commissioners of Camden County on the 21st day of April, 2003.

Chairman, Board of Commissioners

Vice-Chm. Bd Commissioners

Clerk to Board of Commissioners

2003-BA-24

BUDGET AMENDMENT

CAMDEN COUNTY ADMINISTRATIVE UNIT

General Fund

The Camden County Board of Commissioners passed the following resolution at the meeting on 21st day of April, 2003.

Be it resolved that the following are amendments to the budget resolution for the fiscal year ending June 30, 2003.

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-5110-02	SRO Salaries	2537.	
10-5110-05	Fica	194.	
10-5110-06	Insurance		310.
10-5110-07	Retirement	50.	
10-5110-071	401K	203.	
10-5110-11	Telephone		100.
10-5110-14	Travel		574.
10-9990	Contingency		2000.

Explanation: Approved salary adjustments 12/3/02.

Total Appropriation in Current Budget.....	\$ 96,834.
Amount of Increase of above amendment.....	2,000.
Total appropriation in Current Amended Budget	\$ 98,834.

We, the Board of County Commissioners of Camden County, hereby approve the changes in the County Budget as indicated above and have made entry of these changes in the minutes of said board this 21st day of April, 2003.
Passed by majority vote of the Board of County Commissioners of Camden County on the 21st day of April, 2003.

Chairman, Board of Commissioners

Vice-Chm. Bd Commissioners

Clerk to Board of Commissioners

2003-BA-25

BUDGET AMENDMENT

CAMDEN COUNTY ADMINISTRATIVE UNIT

Schools Capital Reserve Fund

The Camden County Board of Commissioners passed the following resolution at the meeting on 21st day of April, 2003.

Be it resolved that the following are amendments to the budget resolution for the fiscal year ending June 30, 2003.

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
75-6820-7404	Project #18 GPS (Bond Funds)	29,305.	
75-6820-7405	Project #19 CMS (Bond Funds)	197,539.	
75-6820-7406	Project #99 (Bond Funds)	405,705.	
75-3480-21	School Const. (Bond Funds II)	632,549.	
75-3990	Fund Balance Appropriated	543,829.	
75-6820-745	CCHS Vital Upgrade	1,000,000.	
75-3480-22	Bank of American Loan	1,000,000.	
75-6820-999	Reserve	543,829.	

Explanation: Adjustments needed - Revenue

Total Appropriation in Current Budget.....	\$ 1,340,324.
Amount of Increase of above amendment.....	2,176,378.
Total appropriation in Current Amended Budget	\$ 3,516,702.

We, the Board of County Commissioners of Camden County, hereby approve the changes in the County Budget as indicated above and have made entry of these changes in the minutes of said board this 21st day of April, 2003.
Passed by majority vote of the Board of County Commissioners of Camden County on the 21st day of April, 2003.

Chairman, Board of Commissioners

Vice-Chm. Bd Commissioners

Clerk to Board of Commissioners

An Ordinance Relating To Temporary Road Construction

Commissioner Riggs made a motion to introduce *Ordinance No. 2003-04-03 An Ordinance Of The Camden County Board of Commissioners Providing For Temporary Road Construction Housing At A Sand Pit*. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Commissioner Riggs made a motion to place *Ordinance No. 2003-04-03 An Ordinance Of The Camden County Board of Commissioners Providing For Temporary Road Construction Housing At A Sand Pit* on the May 5, 2003 Board of Commissioners agenda. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Petition For Road Addition – Linton Road, South Mills Township

Commissioner Jeralds made a motion to approve *Resolution 2003-04-03 North Carolina State Department of Transportation Request For Addition To State Maintained Secondary Road System*. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Resolution No. 2003-04-03

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION REQUEST FOR
ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM**

North Carolina
County of Camden
Road Description: Linton Road, South Mills Township

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Camden requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road system; and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Camden that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

Jeff Jennings, Chairman

Camden County Board of Commissioners

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Camden at a meeting on the 21st day of April, 2003.

SEAL

Carl Classen
Clerk to the Board of Commissioners
County of Camden

Resolution Relating to North Carolina Clean Water Revolving Loan and Grant

Commissioner Rountree made a motion to approve *Resolution No. 2003-04-04 North Carolina Clean Water Revolving Loans and Grant Act of 1987 Grant Application for Camden County Reverse Osmosis Water Treatment Facility Expansion*. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Resolution No. 2003-04-04

N.C. Clean Water Revolving Loan and Grant Act of 1987
Grant Application For Camden County Reverse Osmosis Water Treatment Facility Expansion

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina Clean Water Revolving Loan and Grant Act of 1987 have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water treatment works, and

WHEREAS, The County of Camden has need for and intends to construct a drinking water treatment works project described as a 500 gpm reverse osmosis skid expansion to the existing Camden County reverse osmosis water treatment facility, and water main extension to South Mills, and

WHEREAS, The County of Camden intends to request state grant and loan assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CAMDEN:

That the County of Camden will arrange financing for all remaining costs of the project, if approved for a State grant and or loan award.

That the County of Camden will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the County of Camden agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the County of Camden to make scheduled repayment of the loan, to withhold from the County of Camden any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the County of Camden will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Carl Classen, County Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of the County of Camden with the State of North Carolina for a grant to aid in the construction of the project described above.

That Carl Classen, County Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained

above; and to execute such other documents as may be required in connection with the application.

That Hobbs, Upchurch & Associates, P.A. is hereby authorized and directed to represent the County of Camden as County Engineer to provide the appropriate State agency with the required information applicable to the project.

That the County of Camden has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the April 21, 2003 at Camden County, North Carolina.

Jeff Jennings, Chairman Board of Commissioners

Request for Refund – UDO2003-01-34 – Burgess

The Planning Department received a letter from applicant Ralph Burgess stating he withdraws his application (UDO2003-01-34). Commissioner Rountree made a motion to approve Mr. Ralph Burgess' request for application refund less expenditures and direct costs. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Commissioner Riggs moved that, effective immediately, language be added to all permit applications stating that permit refund would be considered if a permit is withdrawn or not approved by the Board of Commissioners but that such refund would be the amount paid less the pro rata share of any direct costs (e.g. advertising, special review expenses), meeting costs (Planning Board and Board of Commissioners), and staff time at those meetings. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Department of Social Services Records Retention Schedule

The proposed Department of Social Services Records Retention Schedule is required by the State and this proposed Schedule was developed by the Social Services Department and is in compliance with State rules.

A copy of the complete Records Retention was presented at the Commissioners meeting for review.

Commissioner Rountree made a motion to approve Social Services Department Records Retention Schedule. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Health Insurance

The County Manager and Finance Officer have reviewed the Health Insurance Plan from the North Carolina Association of County Commissioners (NCACC), which will be the same premium but offer better coverage.

The existing plan will cost about the same as the NCACC plan on July 1, but the existing plan has much lower benefits (e.g. must meet \$500 deductible before any co-payments are allowed to be used).

Commissioner Jeralds made a motion to approve the Health Insurance Plan with North Carolina Association of County Commissioners (NCACC). The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

Tower Bids

All Tower Bids were reviewed by the staff and were found to be over budget.

Commissioner Rountree made a motion to disapprove all tower bids due to the fact all bids were over budget and proceed with an alternative plan. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no Commissioners voting no; and no Commissioners absent or not voting.

CLOSED SESSION

Commissioner Shaw made a motion to go into closed session pursuant to G.S. 143-318.11(a)(6) for the purpose of discussing personnel, pursuant to Section G.S. 318.11(a)(3) to consult with attorney, and pursuant to G.S. 143-318.11(a)(4) for the purpose of discussing industrial recruitment. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no commissioners voting no; and no commissioner absent or not voting. The Commissioners entered closed session at 9:25 PM.

Commissioner Rountree made a motion to come out of closed session and back into regular session. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no commissioners voting no; and no commissioner absent or not voting. The Commissioners re-entered regular session at 9:59 PM.

ADJOURNMENT

There being no further items to come before the Commissioners at this time, Commissioner Jeralds made a motion to adjourn the meeting. The motion passed with Commissioners Jeralds, Riggs, Rountree, Shaw and Chairman Jennings voting aye; no commissioners voting no; and no commissioner absent or not voting.

The meeting adjourned at 10:05 PM.

Jeff Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Carl Classen
Clerk to the Board of Commissioners